



Practitioner's Docket No. U 014713-7

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application  
of \_\_\_\_\_

Inventor(s)

for \_\_\_\_\_

Title of invention

**OR**

In re application of: Hayim **LINDENBAUM**, et al

Serial No.: 10/616,887

Group No.: - -

Filed: July 10, 2003

Examiner: - - -

For: CROSS REFERENCE TO RELATED APPLICATIONS

**Commissioner for Patents**

**P. O. Box 1450**

**Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

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**37 C.F.R. 1.8(a)**

**37 C.F.R. 1.10\***

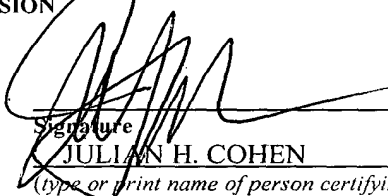
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Date: July 31, 2003

  
\_\_\_\_\_  
Signature  
**JULIAN H. COHEN**  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

**WARNING:** No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).

### IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

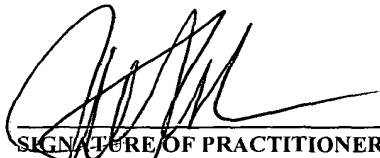
**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

Reg. No. 20,302

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SIGNATURE OF PRACTITIONER

JULIAN H. COHEN

(type or print name of practitioner)

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c/o Ladas & Parry  
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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Hayim LINDENBAUM, et al

Serial No.: 10/616,887

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Attorney Docket No.: U 014713-7

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Alexandria, VA 22313-1450

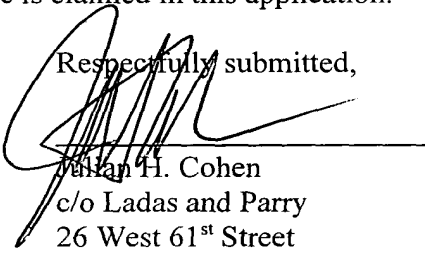
**INFORMATION DISCLOSURE STATEMENT**

We draw the attention of the Examiner to the references listed on the attached Form

PTO-1449. Copies of the references are not required, because they were already filed in the

U.S. application from which an earlier filing date is claimed in this application.

Respectfully submitted,

  
Julian H. Cohen  
c/o Ladas and Parry  
26 West 61<sup>st</sup> Street  
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Reg. No. 20,302 (212) 708-1887

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

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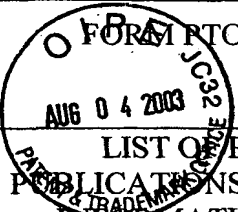
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JULIAN H. COHEN

Date: July 31, 2003

*(type or print name of person certifying)*

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

	<b>ATTY DOCKET NO.</b> U 014713-7	<b>SERIAL NUMBER</b> 10/616,887
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT</b>	<b>APPLICANT</b> Hayim LINDENBAUM, et al.	<b>EXAMINER</b>
	<b>FILING DATE</b> July 10, 2003	<b>GROUP ART UNIT</b>

## U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,370,660	12/1994	Weinstein, et al.	606	215	
	AB	5,486,195	01/1996	Myers, et al.	606	213	
	AC	5,645,566	07/1997	Brenneman, et al.	606	213	
	AD	5,700,277	12/1997	Nash, et al.	606	213	
	AE	5,725,551	03/1998	Myers, et al.	606	213	
	AF	5,853,421	12/1998	Leschinsky, et al.	606	213	
	AG	5,928,266	07/1999	Kontos	606	213	
	AH	4,744,364	05/1998	Kensey	128	334	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AI	WO 98/11830	03/1998	PCT			
	AJ	WO 00/02488	01/2000	PCT			
	AK	WO 02/072188	09/2002	PCT			

## OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

AL	Overview of CompressAR. 2002.
AM	Angio-Seal™. 2002.
<b>EXAMINER:</b>	<b>DATE CONSIDERED:</b>
<b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



FORM PTO-1449	ATTY DOCKET NO. U 014713-7	SERIAL NUMBER 10/616,887
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Hayim LINDENBAUM, et al.	EXAMINER
	FILING DATE July 10, 2003	GROUP ART UNIT

## U.S. PATENT DOCUMENTS

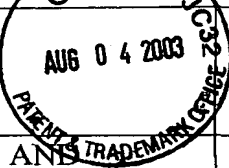
Examiner's Initials-		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	4,836,204	06/1989	Landymore, et al.	128	334	
	AB	5,217,024	06/1993	Dorsey, et al.	128	758	
	AC	5,413,571	05/1995	Katsaros, et al.	606	213	
	AD	5,419,765	05/1995	Weldon, et al.	604	96	
	AE	4,364,392	12/1982	Strother, et al.	128	325	
	AF	5,728,134	03/1998	Barak	606	214	
	AG	6,048,358	04/2000	Barak	606	213	
	AH	5,540,715	07/1996	Katsaros, et al.	606	213	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
	AI						
	AJ						
	AK						

## OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

AL	The Prostar®, Perclose, Inc. 2002.
AM	Silber, S. "Vascular Closure Devices for Immediate..", in Handbook of Coronary Stents, 3 <sup>rd</sup> ed. (Martin Dunitz, 2000).
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	FILING DATE July 10, 2003	GROUP ART UNIT

## U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,879,499	03/1999	Corvi	156	175	
	AB	5,626,601	05/1997	Gershony, et al.	606	194	
	AC	5,458,573	10/1995	Summers	604	101	
	AD	6,022,336	02/2000	Zadno-Azizi, et al	604	96	
	AE	6,126,635	10/2000	Simpson, et al.	604	101	
	AF						
	AG						
	AH						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
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	AK						

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